

# "Black Bart," Murderous Bandit of Northwest, Now Reformer, May Soon Be Free

Convict Who Terrorized Wisconsin and Neighboring States a Quarter of a Century Ago Has Utilized His Energies for Several Years in Endeavoring to Make Better Men of His Fellows in Marquette Prison.

By Charles M. Howell.

"HANDS UP!" rang out the startling command as the owner of the voice sprang from a clump of bushes at the side of the highway and with a revolver in each hand covered the five men occupants of the approaching open stage.

"Quit your kidding," laughingly responded the driver, as he drew rein at the command, which he regarded as a joke. He was instantly undeceived by the vicious warning:

"Hands up, everybody, or I shoot!"

As he dropped the reins, the driver threw up his hands, as did poor Fleishbein, his companion on the front seat and the two passengers on the rear of the three seats.

Mackuchor, however, Fleishbein's banker friend from Minneapolis, occupying the middle seat, who alone was armed, drew a revolver and with great courage, but small discretion, threw his head over to the side beyond Fleishbein, who sat directly in front of him, and levelled his gun at the bandit.

It was Mackuchor, however, and not the highwayman, who got a bullet full in the chest, while the bullet from his own gun sped harmlessly into the air. A second bullet and a third, unerringly fired by the bandit, struck the doomed Fleishbein below the groin. The two missiles entered about two inches apart, ranged upward through the abdomen, and both lodged in the spine.

Fleishbein, as he afterward told the writer, threw himself to the ground to get out of the range of the bullets. As he did so, part of Mackuchor's inert body became exposed and a fourth bullet from the bandit's death dealing weapon bored through the banker's leg as it dangled over the seat.

## A DRAMATIC EXIT.

These fearful incidents consumed scarcely half a dozen seconds, when the horses bolted, frightened by the shooting. The driver, seizing the reins, brought the frenzied animals to a standstill some three or four hundred yards from the place of attack. Flinging a bullet over the stage, the highwayman shouted orders to drive on or he would shoot to kill. With Banker Mackuchor apparently dying in the bottom of the wagon and with no weapons available for coping with the bandit, there was nothing for the men in the stage to do but to make all possible haste to the nearest railway station, Gogebic, some three miles distant, secure medical aid for Mackuchor, wire the proper county officials and hurry back with medical and other assistance to Fleishbein.

On receipt of the telegram at Bessemer, the county seat, some twenty miles from Gogebic station, the writer, acting in his official capacity as prosecuting attorney, immediately arranged for a special train. In two hours from the time of the hold-up the special was speeding to the scene and abroad were Sheriff Foley and posse.

In the mean time, as the stage disappeared, the bandit turned his attention to the body of Mackuchor, who was mortally wounded and unable to move, but still conscious. The booty obtained must have been disappointing, as it consisted of only a valuable watch and a pocketbook containing less than \$50. Appropriating these articles, the highwayman fled into the dense, trackless forest, which extended scores of miles in every direction.

This affair is known in criminal annals as "The Hold-Up of the Gogebic Stage."

THE LONE HIGHWAYMAN.

The bandit, whose identity was not positively known, but correctly suspected, had previously become notorious in the Far West and quite recently in Northern Wisconsin, as "Black Bart, the Lone Highwayman." He was indeed a terrible reality—not a myth or a character in fiction. In the known record of "Black Bart" it is literally a fact that truth is stranger than fiction, as will appear from this narrative, which embraces only a few of the principal incidents of his career prior to and following his conviction of murder in the first

persons money and valuables which it would be worth his murderous while to secure. Consequently, having informed himself in advance of the hour of their departure, "Black Bart" prepared for the hold-up. Secretly, himself in the bushes at the roadside midway between Gogebic Lake and Gogebic station, he awaited the approach of the stage, which, because of pleasant weather, was on open spring wagon, containing three cross seats and room for luggage.

## A TRAGEDY.

Fleishbein was brought to the station in time to be placed on a regular train en route to Bessemer. The special met it midway and the writer transferred to the regular train in order to obtain from Fleishbein such information as he might be able to give. Fortunately, he was still in full possession of his faculties, a condition made possible only by his splendid constitution and great fortitude. "Black Bart" wore no disguise, and it was the description which the dying Fleishbein was thus enabled to give to the writer which led to the capture five days later. In spite of the best medical and surgical attention, Fleishbein, a man of superb physique and only forty-three years of age, died at the Gogebic Hospital, Bessemer, at 4 the next morning.

Mackuchor, who was at first thought to be dying, was terribly but not fatally hurt. After a year's invalidism he recovered sufficiently to resume business, but the injury to his leg has left him with a life-long limp.

The details of the exciting, widespread hunt for "Black Bart" would fill a volume. They can be only summarized. Among these particulars are to be noted a \$3,500 reward, dead or alive; the immediate flooding of that region with telegraphic and poster descriptions of "Black Bart"; the thousands of men engaged in the hunt; the employment of bloodhounds that repeatedly found and lost the trail in the dense woods, caused by "Black Bart" wading streams to destroy the scent; the influx of metropolitan newspaper correspondents, and the intense, far-reaching public interest in the chase.

## A THEATRICAL CAPTURE.

Finally, however, on the Thursday evening following the murder, hunger compelled "Black Bart" to risk leaving the shelter of the forest. He emerged at a point about one hundred miles east of the scene of the hold-up, and made his way to a small hotel in the mining village of Republic, Marquette County, Mich. He ate a hearty but hasty meal and went to his room. Once inside, as he afterward stated, he bolted the door and flung himself on the bed, thoroughly tired out. There he lay for the night, full dressed, with a revolver at each hand, ready to resist to the death if his capture, for which he knew there was a big reward, should be attempted.

Landford O'Brien's son, a lad of sixteen, whispered to his father that he was sure the new arrival was "Black Bart," described in the poster tacked to the wall of the hotel office. The father was skeptical, but called in for consultation Justice E. E. Weiser and Marshall N. B. Glode. Not being certain as to the identity of the stranger, they wired the writer for specific official instructions and he had Sheriff Foley telegraph back to hold the suspect at all hazard until the Sheriff could reach Republic.

The message was received about 6 the next morning, just after "Black Bart" had paid his hotel bill and was strolling toward the edge of the town. By a clever strategy Glode and Weiser saved their own lives and effected the capture by seizing "Black Bart" by each arm as he unsuspectingly walked between the two officials when they separated for that very purpose. The marshal having discarded his uniform for the occasion, there was nothing in the appearance of either man to indicate that

they were officials. A desperate struggle ensued, in spite of the fact that "Black Bart" was taken entirely off his guard. Not being absolutely sure of their man, the magistrate and marshal wished to use as little violence as possible in making the arrest. However, only after the arrival of a third officer, who clubbed "Black Bart" into a condition of helplessness, was he subdued and manacled.

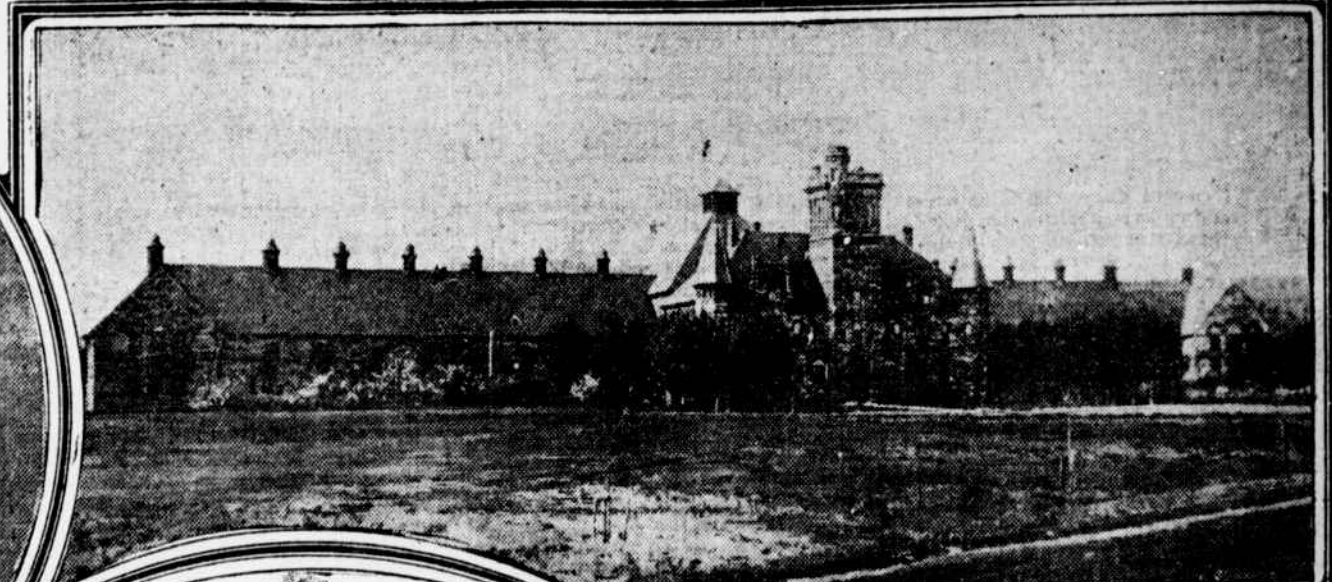
On searching "Black Bart," not only was he found to be a sort of a walking arsenal, but the evidence of his identity as the murderer of Fleishbein was conclusive. He still had in his possession Fleishbein's watch and pocketbook and most of the money. A few weeks later the reward was equally distributed among the two O'Brien's and the three officials.

On the day of the capture a picture of "Black Bart," seated alone and with his hands shackled behind him, was taken, and also a second photograph, with his captors, Glode and Weiser, standing at either side of his chair. These pictures, which appear with this story, have ever since been in the possession of the writer. Many fanciful and even grotesque pictures of "Black Bart" have been published, but these portray him exactly as he looked after capture, ridge belt and weapons had been removed, on the day of his capture and at the time of the Gogebic stage hold-up.

The news that "Black Bart" had at last been captured spread like wildfire, and the thousands of men who had spread over a



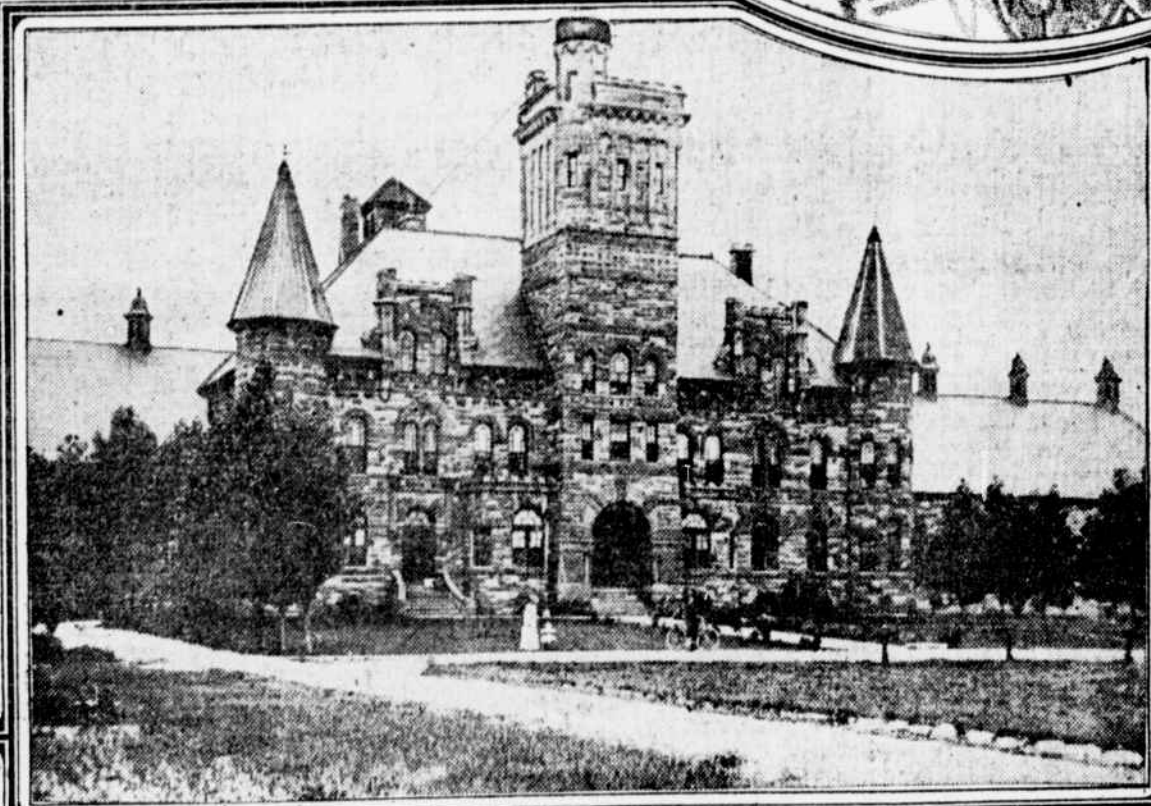
Charles M. Howell, Prosecuting Attorney at the Trial of Holzhey, from a photograph made at that time.



Marquette Prison from a photograph taken and finished by Holzhey.



Raymond Holzhey, "Black Bart" at the time of his capture.



Main Entrance to the Michigan Branch State Prison at Marquette, where Holzhey has served over twenty-two years of his life sentence.

Holzhey and the Men Who Captured Him. Photograph Taken at Republic, Michigan, Just After the Arrest.



Justice Weiser

Marshall Glode.



James Russell, Warden of the Michigan Branch State Prison at Marquette.

agitation in favor of the lynching at once began to subside and as wiser counsel prevailed the trouble was averted.

Before his trial, a few weeks later, "Black Bart" made several attempts to escape, each one including the contemplated murder of one or more of the officials. Each time his plans were thwarted.

A YOUTHFUL DESPERADO.

After his capture many of the leading facts of the life of "Black Bart" became known, some of them by his own admissions and statements. Probably the most startling fact of all is that a man with such a record was only twenty-three years of age at the time of his conviction. His name is Raymond Holzhey. He was born in Germany, where his parents still resided at the time of the trial. He came to the United States when he was eight years of age. When old enough to work he was employed about sawmills and in lumber camps of Northern Wisconsin for a while. He then went to the Far West, where he first became notorious as "Black Bart, the Lone Highwayman." He was called "black" because of his swarthy complexion and "lone" because he never had a confederate or an accomplice. His field of operations was chiefly in Northwestern Idaho. The winter preceding his capture, when it was getting too hot for him in Idaho, Holzhey returned to Northern Wisconsin, where he remained inactive for a few months. Then he began the series of train and stage hold-ups which startled the country, because of his tremendous audacity and his uniform success in getting away with a whole hide and more or less plunder.

Notwithstanding his astounding criminal record, Holzhey never was arrested, except once for a mild misdemeanor, until he crossed the state line into Northern Michigan and there began his depredations. For his first offense in that state, however, he was captured and convicted through the prompt and vigorous efforts of the officials and citizens of Gogebic County, within whose confines he murdered Fleishbein.

A USE FOR AMASSED BOOTY.

It is supposed that Holzhey had collected and saved considerable booty. He was ably defended by three attorneys—F. C. Chamberlain, who for several years past has been a practicing lawyer here in New York City; F. C. Button, still in practice at Marquette, Mich., and Mr. Gerphide, an experienced criminal lawyer, of Chicago. The writer, as prosecuting attorney of Gogebic County, conducted the prosecution, and at his invitation R. C. Flanagan, now a judge of one of the circuits of Michigan, sat in the case during the trial.

In its day the case attracted as much attention throughout the country as did the Cronin murder trial at Chicago or the more recent Thaw trials in New York. Some seven hundred talemen had to be examined before the jury of twelve could be secured for the trial.

The evidence against Holzhey was conclusive. When he took the stand in his own behalf he did not deny the facts. The sole defense set up by his attorneys was the unique one of "circular insanity." The trial, therefore, was largely a contest of experts. This defense, however, made

no perceptible impression on the jury, which quickly returned a verdict of "guilty of murder in the first degree." That verdict carries with it the extreme penalty imposed in Michigan, imprisonment for life. Holzhey would have suffered the death penalty, but it was not in force then, nor has it been re-enacted in that state.

## THE EVIL WAYS CONTINUE.

The circumstances which at this late day, after nearly twenty-three years of imprisonment, revive interest in Holzhey and classify his case as one of the most remarkable in the history of penology are that he has apparently become so completely rejuvenated morally that Governor Warner just before retiring from office commuted his life sentence to forty years, and it seems to be generally understood that Holzhey will be liberated, either by full pardon or on parole, within the next eighteen months. The present warden and his two predecessors recommend clemency. If one can shut out the memory of a long list of felonies, it is no more than fair to concede that a strong case in favor of clemency is presented.

During the first years of his incarceration, however, Holzhey's desperate nature repeatedly manifested itself. He not only was moody and ugly much of the time, but the officials of the Marquette prison realized that no plan of escape was too murderous for him to attempt. It was in frustrating

one of these reckless schemes that Holzhey had every finger on his right hand shot off by Warden Tompkins, thus supplying another detail in this astonishing record, which reads more like the wildest fiction than the simple, cold fact that it is.

A FIGHT THROUGH STEEL DOORS.

Holzhey had been in the Marquette prison less than a year. He managed to secure in his cell a heavy, iron-handled dinner knife. On the stone walls he sharpened it to a point, making of it a veritable dirk. At an opportune moment, as a guard, who had opened the cell door to give Holzhey his midday ration, turned to leave and close the door, Holzhey sprang upon him. Brandishing the weapon, Holzhey threatened to kill the guard if he made a sound, and he undoubtedly would have done so. There was no one else in the long cell corridor nor for the moment in the large main corridor, with which it communicated through heavy, grated, steel doors that were locked. It was soon learned, however, that something was wrong, and Warden Tompkins and others started to enter the cell corridor. Holzhey, as he played the knife dangerously close to the guard's throat, shouted that he would kill him if the big steel doors were opened. After having exhausted every means at his command to induce Holzhey to behave himself the warden, who was a crack shot, sent for his favorite rifle. Again and again he was on the point of shooting, only to be foiled by Holzhey's agility in making a shield of the guard, the killing or injuring of whom the warden, of course, would not risk.

This exasperating, deadly play went on for an hour or so. At last the warden thought he saw a safe opportunity to disable Holzhey without killing him. For a moment Holzhey reared his knife hand against his leg, so that it was partly exposed. Warden Tompkins took quick aim and fired. The bullet struck the forefinger close to the hand, cut off all four fingers and broke the iron handle of the dirklike knife. With that further command Holzhey, for once in his life, performed the "hold-up-your-hands" act with catlike alacrity. Thus crippled, Holzhey was no longer so dangerous, and there was a gradual subsiding of his vindictive spirit, but no quick transformation.

A MORAL RENAISSANCE.

There can be no doubt of the fact that the improvement in Holzhey's moral nature has been great. Possibly the reformation may be complete. Whatever may be the degree of advancement, it unquestionably is due, more than to all other influences combined, to the study and treatment of Holzhey by Warden James Russell, who has been in charge of the Marquette prison some forty years. Mr. Russell brought to his peculiar task the highest intelligence and the broadest human sympathies. A recent picture of Warden Russell appears with this article.

Holzhey positively avers that, when he defied the prison officials and had his fingers shot off, he really sought death. For some time thereafter his moody intervals were frequent. He finally adopted the rule, when he felt what he called "one of those bad spells" coming on, of requesting the warden to have him locked in his cell and

Continued on seventh page.

Interior of the Library of the Marquette Prison. Holzhey stands leaning against corner of table.

degree and his sentence to imprisonment for life, the extreme penalty in Michigan in the State House of Correction and Branch Prison at Marquette.

This particular stage hold-up, one of many similar diversions by "Black Bart," took place in broad daylight, about 11 o'clock on a beautiful Monday morning in August, 1889. The scene was not in the Far West, but at the extreme western end of the upper or northern peninsula of the State of Michigan, at a point about four hundred and fifty miles due north of Chicago. It was on a stretch of highway five miles in length and through a heavily timbered region which connected Gogebic station, on the Milwaukee & Northern, since merged into the Chicago & North Western Railroad, with Lake Gogebic, a summer resort especially noted for its unexcelled black bass fishing.

Adolph G. Fleishbein, a prominent and well-to-do citizen of Belleville, Ill., and his banker friend, D. Mackuchor, of Minneapolis, had just ended a pleasant outing at the lake and were leaving for their respective homes. "Black Bart," whose identity was known to no one, was an expert woodsman, guide, oarsman and shot and had taken employment at the resort a short time before. This he did doubtless for the purpose of familiarizing himself with the lay of the land and of selecting prospective victims.

His fixed on Fleishbein and Mackuchor as men who would be likely to have on their